



CITY OF HAYWARD AGENDA REPORT

Planning Commission

Meeting Date 1/16/00

Agenda Item 2

TO: Planning Commission

FROM: Richard E. Patenaude, Acting Principal Planner

SUBJECT: Historic Site Designation No. 13 – Hunt Foods Water Tower – ConAgra Company (Owners) – Request by the Planning Director for Designation of the Hunt Foods Water Tower as an Historic Structure -- *The property is located at 199 C Street, and approximately 1400 feet south of the intersection with Burbank Street, in an "I" (Industrial) District*

RECOMMENDATION:

Staff recommends that the Planning Commission 1) approve the designation of the Hunt Foods Water Tower as an historic structure pursuant to Chapter 10, Article 11, Historic Preservation Ordinance, of the Hayward Municipal Code, subject to the attached findings of approval; and 2) find that this project is categorically exempt from CEQA.

BACKGROUND:

The Hunt Foods Water Tower has served as a symbol for both "The Pickle Works" and Hunt Foods, both mainstays of the City's economy, for many years. According to aerial photography and personal interviews, the Tower was moved from "The Pickle Works," north of A Street, to its current location sometime during the latter portion of the 1950s. The Tower has become a landmark for the City as a whole, being visible from many vantage points in and around the central portion of Hayward. Designation of the Tower as an historic structure would formalize the City's intent to maintain this structure as a landmark regardless of the impending land use changes in the Cannery area. The City is pursuing authority from the property owners to have the City logo painted on the Tower.

The City's Historic Preservation Ordinance sets criteria for the designation of historic structures, sites or districts. Historic structures, such as the Water Tower, must be 1) identified with the lives of historic people or important events; or 2) particularly representative of an important architectural style or way of life; or 3) an example of a type of building which was once common, but is now rare; or 4) connected with a business or use which was once common, but is now rare; or 5) demonstrative of outstanding attention to architectural design,

detail, materials or craftsmanship. Staff believes that the Water Tower is a reminder of the City's past connection to the agricultural industry and to Hunt Foods: which was a dominant business and social entity in Hayward, and is an example of a structure once used by industry.

The owner of a designated historic structure accepts certain restrictions stated within the Historic Preservation Ordinance, including maintenance of the structure. The City may also stay any demolition request in order to evaluate the historic designation in light of a proposed use.

History

In 1859, 8 years after William Hayward set up his general store at the corner of A & Main Streets, "The Pickle Works" was started. By 1930, the brand name was changed to California Home Brand and it found expanded business in pickles, catsup, tomato juice and various condiments,

Joseph & William Hunt opened their original cannery at A & Santa Clara Streets in 1898 when they moved their canning operation from Santa Rosa to Hayward because this area had hundreds of fruit orchards and agricultural fields. In 1900, the cannery expanded with a new can factory. The number of employees increased to 700 per year. But, in April 1901, the cannery burned to the ground.

Niles and other communities invited the cannery to rebuild in their towns. However, the Hayward Board of Trade, convinced Hunt to stay in Hayward. Despite being in total ruins two months prior to the canning season, the cannery was able to process all the fruit it could get during the season. The end of 1901 found Hunt's can-making plant back in full operation.

In 1943, Hunt's merged with Val Vita Food products of Fullerton. In 1943, the total pack was 2 million cases, valued at \$10 million. For years, Hunt's Hayward and California Home Brand faced each other from opposite sides of "A" Street, but in 1945, the "Pickle Works" merged with Hunt. The company began to concentrate on its own brand and its new slogan: "Hunt – for the best."

In 1954, the pack was 15 million cases, valued at \$70 million. The company now owned 6 canneries on the Pacific Coast, and one each in Ohio, New Jersey and New York. Hunt's ranked 1st in the United States in sales of tomato sauce, 2nd as a packer of yellow cling peaches, and 3rd as a packer of tomato catsup. At this time, 50 percent of the total pack of Hunt Foods was in Hayward.

By 1961, the Hayward plant was not only the largest member of Hunt's food manufacturing family, but was the largest fruit and vegetable canning facility in the world – capable of handling 12 million pounds of tomatoes a day by nearly 5,000 employees. Hunt Foods grew to 140th from the top of the nation's 500 leading industries by 1963.

At its peak, Hunt Foods consisted of an industrial complex of 90 acres that stretched for a 1 ½ miles along the Southern Pacific Railroad. The plant buildings occupied more than 1% million square Feet of space, equal to 50 football fields. Taxes on this property in 1963 made up more than one-sixth of Hayward's total property tax income.

Hunt eventually merged with the Wesson packing company, and the plant began closing down in 1978 after the fruit orchards had been replaced with homes and the tomato processing operations were moved closer to the source in Oakdale. The United Can plant remained in Hayward, employing 200 full-time and 1,300 seasonal workers. Other portions of the Hunt plant were transformed into warehouse space, Cannery Park, and the Price-Costco store. United Can announced its closing in May 1996, allowing Hunt Foods to build a container plant in Tennessee.

ENVIRONMENTAL REVIEW:

This project is categorically exempt from CEQA in that it is an action to maintain the environment and does not include construction (Section 15308 of the CEQA Guidelines).

PUBLIC REVIEW AND PUBLIC NOTICE:

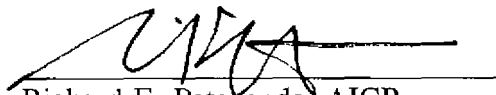
Staff contacted the local operations manager of Hunt Foods Company regarding this action and requested owner participation in the process. The operations manager indicated that Hunt Foods does not care to participate at this time, as its interest in the property will ultimately be ending.

On November 6, 2000, a public hearing notice was mailed to the surrounding property owners and residents and to interested parties. In addition, a public hearing notice was published in *The Daily Review*.

CONCLUSION:

Staff recommends designation of the Hunt Foods Water Tower as an historic structure because it is a reminder of the City's past connection to the agricultural industry and to Hunt Foods, and it is an example of a structure once used by industry. The Water Tower is, and will continue to be, a landmark for the City of Hayward.

Prepared by :



Richard E. Patehaude, AICP
Acting Principal Planner

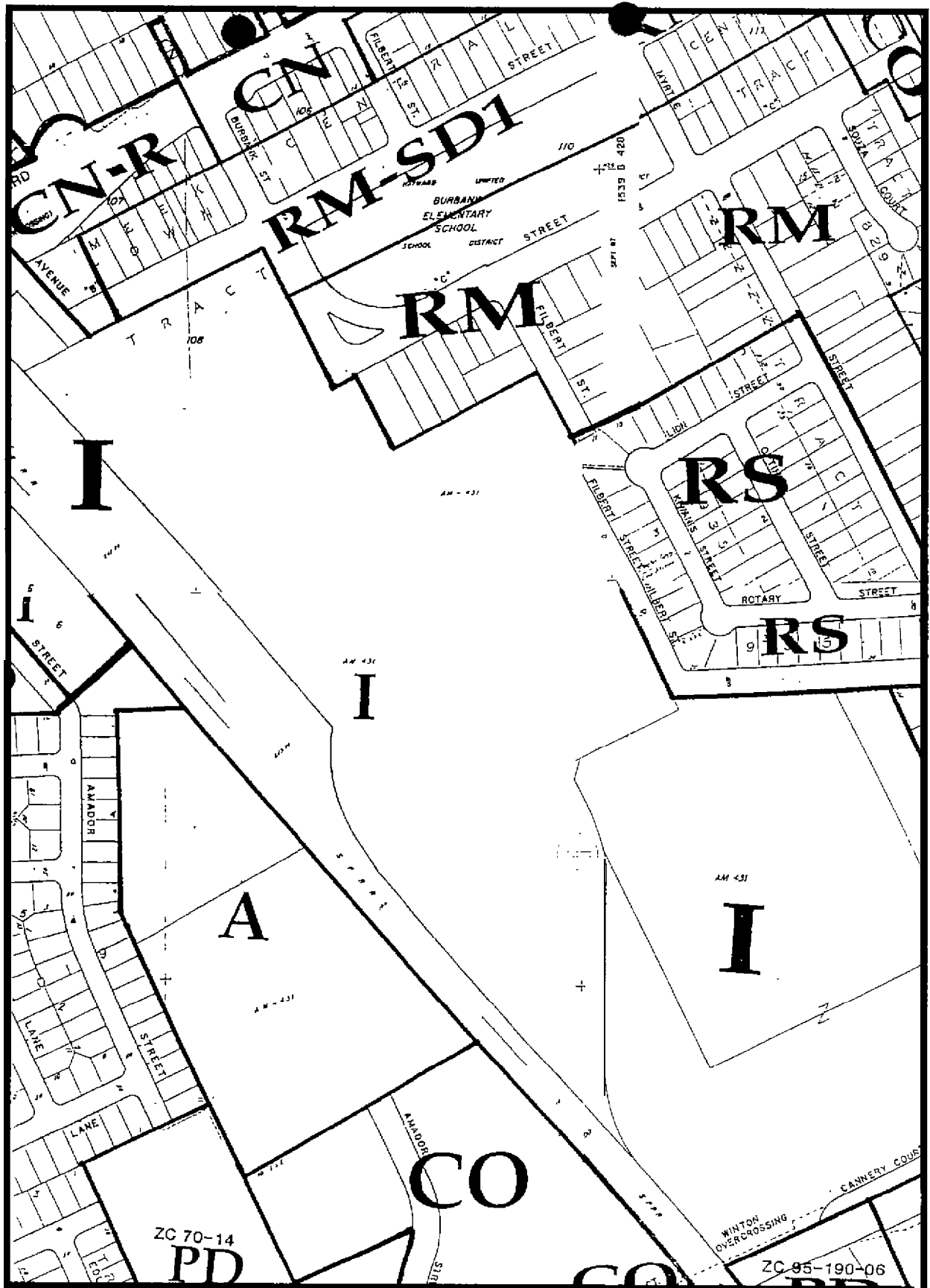
Recommended by:



Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Area/Location Map
- B. Findings for Approval
- C. Letter from Hayward Area Historical Society
Historic Preservation Ordinance



Area & Zoning Map
Historic Site Designation No. 13
199 C Street
Applicant: City of Hayward
Owner: ConAgra

FINDINGS FOR APPROVAL
HISTORIC SITE DESIGNATION NO. 13
CITY OF HAYWARD (APPLICANT) /
LIBITZKY HOLDINGS & CONTRA COSTA INDUSTRIES (OWNER)
REQUEST FOR DESIGNATION OF THE HUNT FOODS WATER TOWER AS AN
HISTORIC STRUCTURE
199 "C" STREET

1. This project is categorically exempt from CEQA in that it is an action to maintain the environment and does not include construction (Section 1.5308 of the CEQA Guidelines).
2. The protection, enhancement, perpetuation and use of structures of historical significance located within the City of Hayward are of cultural and aesthetic benefit to the community. The Hunt Foods Water Tower provides landmark identification to the Cannery neighborhood as well as to the City as a whole.
3. The economic, cultural and aesthetic standing of the City will be enhanced by respecting the heritage of the City.
4. The structure is connected with a business, which was once a signature of the City of Hayward but has ceased to operate at its current location because of the changes to the metropolitan region and the attendant market factors. The Hunt Brothers Cannery opened in Hayward in 1898 due to the surrounding fruit orchards and agricultural fields. The plant began closing down in 1978 after the fruit orchards had been replaced with homes. Hunt Foods played an important economic and social role in the City during this time.

HAYWARD AREA HISTORICAL SOCIETY

22701 MAIN STREET, HAYWARD, CA 94541 • (510) 581-0223

November 8, 2000

Richard Patenaude
Acting Principal Planner
City of Hayward
Planning Division
777 B Street
Hayward, CA 94541

Dear Richard,

Thank you for the notice of the public hearing concerning the designation of the Hunt's Food Water Tower as an Historic Structure. Unfortunately, I will be out of town at the time of the Planning Commission meeting scheduled for Thursday, November 16. I would, however, like to add our wholehearted support for this designation.

As you know, the Hunt's Cannery has played an integral part in the industrial development of the Hayward area. Hunt's was California's first and best-equipped company for the canning of fruits and vegetables. The Hunt Brothers started the company in 1896. It was superbly located in Hayward in the heart of the fruit belt. The plant covered more than 3 acres and employed over 1,000 workers. The company erected over 150 cottages for the employees and opened a recreation day care center for the children of the employees. It was one of the major employers in the area. Today, there are still countless hundreds of people who have connections to the Cannery. The tower serves as an icon for the Cannery and its impact on the Hayward area.

The Hayward Area Historical Society strongly supports this designation and hopes that it will spur other designations and historic preservation efforts in the Cannery area. This could once again be a vibrant and active neighborhood in the downtown area.

Sincerely,



Jim DeMersman
Executive Director

ARTICLE 11

HISTORIC PRESERVATION ORDINANCE

(Added by Ord. 89-011 C.S., adopted March 7, 1989)

SEC. 10-11.00 FINDINGS AND PURPOSE. It is found that the protection, enhancement, perpetuation, and use of structures and districts of historical and architectural significance located within the City of Hayward are of cultural and aesthetic benefit to the community. It is further found that the economic, cultural, and aesthetic standing of the City will be enhanced by respecting the heritage of the City. Therefore, the purposes of this article are to:

- (a) Designate, preserve, protect, enhance, and perpetuate those historic structures, districts, and neighborhoods which contribute to the cultural and aesthetic heritage of Hayward;
- (b) Foster civic pride in the beauty and accomplishments of the past;
- (c) Stabilize and improve the economic value of certain historic structures, districts, and neighborhoods;
- (d) Develop and maintain appropriate settings for such structures; and
- (e) Enhance the visual and aesthetic character, diversity, and interest of the City.

SEC. 10-11.01 DEFINITIONS. Throughout this article the following definitions shall apply:

- (a) 'Historic district' means 2 geographically defined area which has been designated as possessing a significant concentration or number of buildings unified by past events, or aesthetically by plan or physical development. The collective value of buildings and landscape in an historic district taken together may be greater than the value of each individual element. Each building or site within an historic district is categorized as significant for the purpose of this article except the provisions for retaining major interior architectural features and for making penalties available for a failure to maintain buildings shall apply only to buildings on the City's List of Historically or Architecturally Significant Buildings. A building or site located within an historic district shall not be added to the List of Historically or Architecturally Significant Buildings unless such building has been specifically designated as an historic structure or site.
- (b) 'Historic site' is a property which has been designated as a site closely identified with an historic person's life, community, or historic event.

- (c) 'Historic structure' means any building within the City which has been identified as having historic or architectural significance and has been placed on the City's List of Historically and Architecturally Significant Buildings.
- (d) 'Significant Structure' refers to both an historic structure which has been placed on the City's List of Historically and Architecturally Significant Buildings and a structure located within an historic site or an historic district, unless the context specifically indicates otherwise.

SEC. 10-11.02 INAPPLICABILITY OF ARTICLE TO CERTAIN PROPERTIES. The provisions of this article shall not be applicable to any property owned by a public agency or dedicated to a public use, nor shall this article apply to any property which is proposed for acquisition by a public agency. A property shall be deemed to be proposed for acquisition by a public agency if it has been identified on a preliminary tight-of-way drawing for a street or highway project under active consideration by a public agency, is being actively considered for acquisition by a public agency, is the subject of a Resolution of Necessity or acquisition negotiations by a public agency.

SEC. 10-11.03 PROCEDURE FOR DESIGNATION OF HISTORIC STRUCTURES, SITES, OR DISTRICTS.

- (a) Initiation of designation may be proposed by the Hayward Area Historical Society, the Planning Commission, the City Council, the owner of the property, the Director of Community and Economic Development/Planning Director, or by application of at least fifty residents of the City.
(Amended by Ord. 95-01, adopted January 10, 1993)
- (b) Proposals for designation shall be filed with the Development Review Services Division and shall include the following data:
(Amended by Ord. 9541, adopted January 10, 1995)
 - (1) The address and assessor's parcel number of the site or boundaries of the proposed district;
 - (2) A description detailing the structure, site, or district's special aesthetic, cultural, architectural, or engineering interest or value of an historic nature;
 - (3) A description of the historical value of the structure, site, or district;
 - (4) Sketches, drawings, photographs, or other descriptive material; and

- (5) Other supporting information as required by the Director of Community and Economic Development/Planning Director.
(Amended by Ord. 95-01, adopted January 10, 1995)
- (c) Action on any pending development or demolition permit affecting a structure or site proposed for designation shall be automatically suspended by the Director of Community and Economic Development/Planning Director for a period of no more than sixty (60) days from the filing of the proposal for designation in order to provide for action on the designation proposal. This period of suspension shall expire automatically ten (10) days after the Planning Commission has acted on the designation application; provided, however, that this provision shall not operate to extend the sixty (60) day period of suspension.
(Amended by Ord. 95-01, adopted January 10, 1995)
- (d) Notice of the time, place, and purpose of the hearing shall be given at least ten (10) days prior to the date of the hearing by mail to the applicant, to the owner or owners of the property, to the owners of property within three hundred (300) feet of the site, to the Hayward Area Historical Society, and to all neighborhood associations in the area on file with the City.
- (e) The Planning codon shall approve, ~~disapprove~~, or modify the application for designation. The action ~~Of the Planning Commission~~ may be appealed to the City Council by any interested person or review requested by a City Councilmember according to the provisions of Section 10-1.548 of the Municipal Code. The filing of an appeal shall automatically extend the stay on processing of a demolition or development permit application for a period of time which expires on the lesser of the following: Forty-five (45) days after the Planning Commission decision or the day after the City Council has concluded its appeal proceedings.
- (f) On appeal the City Council may approve, ~~disapprove~~, or modify the designation and, in any case where an application for a development or demolition permit is pending concurrently with the proposal for designation, such decision shall be made within forty-five (45) days of Planning Commission action.
- (g) After approval of the designation of an historic structure, site, or district, the City Clerk shall send to the owners of the property so designated, by first class mail, a letter outlining the basis for such designation. Notice of this designation shall also be filed in the Building Department and the Development Review Services Division. Notice of an historic structure or site designation shall also be filed with the Alameda County Recorder.
(Amended by Ord. 95-01, adopted January 10, 1995)

SEC. 10-11.04 CRITERIA FOR DESIGNATION OF HISTORIC
STRUCTURES, SITES, OR DISTRICTS.

- (a) Historic Structures. The following shall be used as criteria for designating additional historic structures.
 - (1) The structure is identified with the lives of historic people or with important events in the City, state, or nation; or
 - (2) The structure is particularly representative of an architectural style or way of life important to the City, state, or nation; or
 - (3) The structure is an example of a type of building which was once common, but is now rare; or
 - (4) The structure is connected with a business or use which was once common, but is now rare; or
 - (5) The structure contains elements demonstrating outstanding attention to architectural design, detail, materials, or craftsmanship.
- (b) Historic Districts. A proposal for designation of an historic district may be approved only if the proposed district is found to contain a significant concentration or number of buildings or sites unified by either past events or aesthetically unified by plan or physical development.
- (c) Historic Sites. A proposal for designation of an historically significant site may be **approved** only if the site is found to be closely identified with the life of an historic person, community, or with an historic event in the City, state, or nation.

SEC. 10-11.05 ALTERATION OF SIGNIFICANT STRUCTURES OR SITES.

- (a) Review Process. All development permit applications affecting a significant structure or site shall be reviewed as follows:
 - (1) The Director of Community and Economic Development/Planning Director shall review and may approve additions or alterations which will not adversely affect the exterior architectural characteristics or the historical or aesthetic value of a significant structure or site or its site or surroundings in accordance with the procedures for approval of an administrative use permit.
(Amended by Ord. 95-01, adopted January 10, 1995)

- (2) The Planning Commission shall review all development permit applications for proposed alterations of a significant structure or site which may substantially affect its style, scale, or bulk as well as new construction in an historic district or on an historic site. The Planning Commission's decision shall become final ten days after the decision.
(Amended by Ord. 95-01, adopted January 10, 1995)
- (b) The Planning Commission shall consider the siting, landscaping, architectural style, design, materials, color, and any other pertinent factors, including but not limited to the following:
 - (1) As to buildings on the City's List of Historically and Architecturally Significant Buildings and significant sites the proposed alterations should not adversely affect the exterior architectural characteristics nor the historical or aesthetic value of the building or the site. Major interior architectural features of such significant structures shall also be conserved
 - (2) As to any significant structure in an historic district, the proposed alterations should not adversely affect the exterior architectural characteristics or the historical, architectural, or aesthetic value of the building and its site. Also, siting, landscaping, architecture, materials, and color shall be harmonious with historic elements of the surrounding neighborhood.
 - (3) All applications shall comply with applicable requirements of the zoning regulations.
 - (4) The proposed alteration shall also be consistent with the General Plan and other officially adopted City policies.
- (c) Any interested person may file an appeal to the City Council or any City Council member may request review of the Planning Commission's action within ten (10) days after the Planning Commission decision according to the procedures of Section 10-1.548 of the Hayward Municipal Code.

SEC. 10-11.06 DEMOLITION OF SIGNIFICANT STRUCTURES.

- (a) Applications for demolition of a significant structure shall include one (1) clear photograph of the front of the building and such other information as may be required by the City Building Official and the Director of Community and Economic Development/Planning Director.
(Amended by Ord. 95-01, adopted January 10, 1995)

- (b) Within sixty (60) days of receipt of a completed application, a hearing shall be scheduled on the demolition permit before the Planning Commission. The demolition permit shall be withheld for a period not to exceed one year unless the following finding is made:

The Planning Commission determines that demolition of the significant structure will not have a significant negative effect on the achievement of the purposes of this article given the character of the landscaping and architecture to be put in its place as evidenced by an approved plan for development of the site. Consideration shall be given to siting, scale, style, quality of materials, applicable Special Design ("SD") district criteria, if any, and the history of the existing significant structure.

- (c) Notwithstanding the requirements of this section, a demolition permit may be issued without the necessity for the Planning Commission's review if the City Building Official or the Fire Chief, after consultation with the Planning Director, determines that an imminent safety hazard exists and that demolition of the significant structure is necessary to secure the public safety.
- (d) The decision of the Planning Commission may be appealed to the City Council by any interested person by the filing of an appeal or a City Councilmember's filing of a request for review within ten (10) days of the Planning Commission's action according to the provisions of Section D-1.548 of the Hayward Municipal Code.

SEC. 10-11.07 MAINTENANCE OF SIGNIFICANT STRUCTURES. The owner, lessee, or other person legally in possession of a significant structure shall comply with all applicable codes, laws, and regulations governing the maintenance of property.

SEC. 10-11.08 ENFORCEMENT AND REMEDIES.

- (a) Unlawful Alteration or Demolition Of Significant Structures.
- (1) It shall be unlawful for a person or entity to demolish or cause to be demolished any significant structure or portion thereof in violation of any of the provisions of this article.
- (2) Any person or entity who demolishes a significant structure or causes a demolition in violation of the provisions of this article may be liable civilly in a sum equal to the replacement value of the building.

- (3) The City Attorney may maintain an action for injunctive relief to restrain a violation or cause, where possible, the complete or partial restoration, reconstruction, or replacement in kind of any significant structure or site demolished, altered, or partially demolished in violation of this article.
- (b) Failure to Maintain an Historic Structure.
 - (1) It shall be unlawful for any person or entity to fail to maintain any historic structure.
 - (2) Any person or entity who fails to maintain any historic structure may be liable civilly in a sum not to exceed One Thousand Dollars (\$1,000) in addition to any other available civil and criminal remedy. Each day of violation constitutes a separate offense for which a penalty may be assessed.
- (c) Remedies Not Exclusive. The remedies provided by this section are not exclusive.